

CLAIMS FOR DAMAGES TO PRIVATELY OWNED
PROPERTY

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

ESTIMATES OF APPROPRIATIONS SUBMITTED BY THE EXECUTIVE
DEPARTMENTS TO PAY CLAIMS FOR DAMAGES TO PRIVATELY
OWNED PROPERTY AMOUNTING TO \$1,488.20

FEBRUARY 17 (Calendar day, FEBRUARY 20), 1931.—Read, referred to the Com-
mittee on Appropriations, and ordered to be printed

THE WHITE HOUSE,
Washington, February 20, 1931.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for the consideration of Congress estimates of appropriations submitted by the executive departments to pay claims for damages to privately owned property in the sum of \$1,488.20, which have been considered and adjusted under the provisions of the act of December 28, 1922 (U. S. C., title 31, sec. 215), and which require appropriations for their payment.

Respectfully,

HERBERT HOOVER.

BUREAU OF THE BUDGET,
Washington, February 20, 1931.

SIR: I have the honor to transmit for your consideration estimates of appropriations submitted by the executive departments to pay claims for damages to privately owned property, which have been considered and adjusted under the provisions of the act of December

28, 1922 (U. S. C., title 31, sec. 215), and which require appropriations for their payment, as follows:

Damage claims: For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the executive departments under the provisions of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case," approved December 28, 1922 (U. S. C., title 31, sec. 215), as fully set forth in Senate Document No. — of the Seventy-first Congress, as follows:

Navy Department-----	\$288. 03
Post Office Department (out of the postal revenue)-----	1, 200. 17
In all-----	1, 488. 20
Estimate, 1931-----	1, 488. 20

The letters from the executive departments submitting these estimates are transmitted herewith.

In accordance with the provisions of the act providing for these submissions, I recommend that these estimates be transmitted to Congress.

Very respectfully,

J. CLAWSON ROOP,
Director of the Bureau of the Budget.

The PRESIDENT.

DEPARTMENT OF THE NAVY,
Washington, D. C., February 20, 1931.

The DIRECTOR OF THE BUREAU OF THE BUDGET.

SIR: In accordance with the provisions of the act of Congress approved December 28, 1922 (U. S. Code, title 31, secs. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims accruing after April 6, 1917, on account of damage to or loss of privately owned property due to the negligence of officers or employees of the Government acting within the scope of their respective employments and presented to the Navy Department within one year from the date of accruing.

These claims have been examined by the Judge Advocate General of the Navy, who advises me that they are legal claims for submission under said act. I certify the amounts found due the claimants, as herein set forth, as legal claims and recommend that they be submitted to the Congress for payment out of appropriations that may be made therefor:

1. James J. Galloway, A. C. M. M., U. S. N. R., naval air station, Pensacola, Fla. On January 19, 1931, a Navy gasoline truck being operated negligently by T. B. Stockstill, A. M. M., second class, United States Navy, backed into claimant's car.

Amount claimed, \$48.90; amount allowed, \$48.90.

2. Edwin Leon Kostuck, T. M., first class, United States Navy, care of Bureau of Navigation, Navy Department, Washington, D. C. On December 22, 1930, a Navy truck being operated by E. F. Myers, seaman, first class, United States Navy, negligently backed into claimant's car at the destroyer base, San Diego, Calif.

Amount claimed, \$36; amount allowed, \$36.

3. D. F. Spiegle, 1539 Magazine Street, Honolulu, Hawaii. On October 28, 1930, a Marine Corps truck, operated negligently by G. S. Miller, private, United States Marine Corps, collided with claimant's car at a street intersection in

Honolulu, when the private vehicle was well across the intersection. The Government driver could have avoided the accident by turning to the left and by applying his brakes promptly, which precautions he failed to take.

Amount claimed, \$148; amount allowed, \$148.

4. Lieut. Commander H. E. Halland, United States Navy, care of Bureau of Navigation, Navy Department, Washington, D. C. On October 15, 1930, a Navy truck operated by A. E. Ross, F. second class, United States Navy, attempted to make a left turn at Hampton Roads operating base, in violation of the traffic regulations prohibiting the making of such turn until approaching traffic has passed. In so doing the truck collided with claimant's car.

Amount claimed, \$55.13; amount allowed, \$55.13.

Summary

Total number of claims-----	4
Total amount claimed-----	\$288.03
Total amount allowed-----	\$288.03

Very respectfully,

C. F. ADAMS,
Secretary of the Navy.

POST OFFICE DEPARTMENT,
Washington, D. C., February 19, 1931.

THE DIRECTOR OF THE BUREAU OF THE BUDGET.

SIR: In accordance with the provisions of the act of Congress approved December 28, 1922 (31 U. S. C. 215-217), I have considered, ascertained, adjusted, and determined the following-described claims accruing after April 6, 1917, on account of damage to or loss of privately owned property, due to the negligence of officers or employees of the Post Office Department, acting within the scope of their employment, and presented to the department within one year from the date of accruing.

These claims have been examined by the Solicitor of the Post Office Department who advises me that they are legal claims for submission under said act.

I certify the amounts found due the claimants, as herein set forth, as legal claims, and recommend that they be submitted to Congress for payment out of appropriations that may be made therefor.

1. John R. Goetz, 82 East Fortieth Street, Brooklyn, N. Y. On December 7, 1929, the operator of a Government-owned mail truck, traveling at an excessive rate of speed, negligently failed to yield the right of way which lawfully rested with the claimant's car at an intersection, resulting in a collision in which the private vehicle was damaged to the extent of \$285.

Amount claimed, \$285; amount allowed, \$285.

2. J. A. Kaltenbach, 3108 Lyndale Street, Minneapolis, Minn. On November 12, 1930, while the claimant's car was parked in a private driveway, a Government-owned mail truck was negligently backed into same, damaging the parked vehicle to the extent of \$38.

Amount claimed, \$38; amount allowed, \$38.

3. The Fidelity & Casualty Co. of New York, subrogee of Frank S. Streep, 45 John Street, New York, N. Y. On June 9, 1930, a Government-owned mail truck, operated in a negligent manner, collided with a parked car belonging to Frank S. Streep and insured by the claimant company, causing damage to the extent of \$45.

Amount claimed, \$57; amount allowed, \$45.

4. Mrs. E. J. Nickey, 1217 West Clarke Street, Milwaukee, Wis. On January 9, 1931, the operator of a Government-owned mail truck negligently parked his truck at the curb with the left rear door open, and the claimant, in passing the truck, failed to see the iron locking bar protruding from the door due to the fact

that it was dark, and brought her car into collision with the bar, causing damage to the extent of \$5.

Amount claimed, \$5; amount allowed, \$5.

5. Max Schreiber, 8862 North Clarendon Avenue, Detroit, Mich. On December 26, 1930, the operator of a Government-owned mail truck negligently pulled out from the curb where the truck had been parked and collided with the claimant's passing vehicle, damaging the latter to the extent of \$6.75.

Amount claimed, \$6.75; amount allowed, \$6.75.

6. Angelo Sereno, 20 Ward Street, Rochester, N. Y. On October 8, 1930, the operator of a Government-owned mail truck negligently failed to yield the right of way which lawfully rested with the claimant's vehicle at an intersection, resulting in a collision in which the private vehicle was damaged to the extent of \$18.50.

Amount claimed, \$18.50; amount allowed, \$18.50.

7. Aetna Insurance Co., subrogee of Philip E. Cobden, Hartford Conn. On August 6, 1930, a Government-owned mail truck, operated in a negligent manner, collided with a parked automobile belonging to Philip E. Cobden, and insured by the claimant company, damaging the claimant to the extent of \$200.

Amount claimed, \$200; amount allowed, \$200.

8. Philip E. Cobden, 22 East Thirty-eighth Street, New York, N. Y. On August 6, 1930, a Government-owned mail truck, operated in a negligent manner, collided with the claimant's parked car, damaging the claimant to the extent of \$165.10.

Amount claimed, \$165.10; amount allowed, \$165.10.

9. J. S. Silvers & Bro. Co., Dey Street, Hightstown, N. J. On December 20, 1930, while the claimant's car was parked at the curb, a Government-owned mail truck was negligently backed into same, damaging the parked vehicle to the extent of \$11.80.

Amount claimed, \$11.80; amount allowed, \$11.80.

10. Fred W. Small, 32-31 Murray Lane, Flushing, N. Y. On July 24, 1930, the operator of a Government-owned mail truck negligently failed to have his truck under control upon approaching an intersection, and when brakes were applied the truck skidded into the claimant's lawfully operated automobile, damaging the latter to the extent of \$46.

Amount claimed, \$46; amount allowed, \$46.

11. Tony Aquilina, 28 Ward Street, Rochester, N. Y. On October 21, 1930, the operator of a Government-owned mail truck, backing toward the loading platform of a railway station, negligently brought the truck into collision with the claimant's lawfully operated automobile, damaging same to the extent of \$28.

Amount claimed, \$28; amount allowed, \$28.

12. Benjamin H. Bayer, 3431 Montana Avenue, St. Louis, Mo. On July 17, 1930, while the claimant's car was standing in traffic awaiting an opportunity to proceed, a Government-owned mail truck, operated in a negligent manner, collided with the standing vehicle, damaging same to the extent of \$50.99.

Amount claimed, \$50.99; amount allowed, \$50.99.

13. William Greaves, 172 Louise Avenue, Detroit, Mich. On November 22, 1930, the operator of a Government-owned mail truck negligently failed to yield the right of way which lawfully rested with the claimant's car at an intersection, resulting in a collision in which the private vehicle was damaged to the extent of \$35.

Amount claimed, \$35; amount allowed, \$35.

14. William Jackson, 2321 Tiebout Avenue, New York, N. Y. On October 5, 1930, the operator of a Government-owned mail truck negligently made a left turn directly in the path of the claimant's taxicab at an intersection, resulting in a collision in which the private vehicle was damaged to the extent of \$100.

Amount claimed, \$100; amount allowed, \$100.

15. Mrs. Frances L. James, 2719 Myrtle Avenue, Detroit, Mich. On August 7, 1930, as the claimant's car came to a stop in traffic to the rear of a street car, a Government-owned mail truck, operated in a negligent manner, collided with the rear end of the private car, causing damage to the extent of \$25.

Amount claimed, \$25; amount allowed, \$25.

16. Harry H. Leslie, 354 Fourth Avenue, New York, N. Y. On June 28, 1930, as the claimant's car came to a stop in compliance with the traffic signal at an intersection, a Government-owned mail truck, operated in a negligent manner, collided with the rear end of the private vehicle, damaging same to the extent of \$85.00.

Amount claimed, \$145; amount allowed, \$85.

17. Mrs. Bessie E. Linscott, 50 Appleton Street, Saugus, Lynn, Mass. On December 20, 1930, while the claimant's car was standing at an intersection of streets, a Government-owned mail truck, passing the standing vehicle, was negligently brought into collision with same, causing damage to the extent of \$10.

Amount claimed, \$10; amount allowed, \$10.

18. State of Rhode Island, State Public Welfare Commission, State House, Providence, R. I. On December 29, 1930, as the claimant's truck came to a stop in traffic, a Government-owned mail truck, operated in a negligent manner, collided with the rear end of the private vehicle, damaging same to the extent of \$2.63.

Amount claimed, \$2.63; amount allowed, \$2.63.

19. Moses Solomon, 183 Reade Street, New York, N. Y. On July 24, 1930, while the claimant's car was parked at the curb, a Government-owned mail truck, operated in a negligent manner, collided with same, damaging the parked vehicle to the extent of \$30.

Amount claimed, \$30; amount allowed, \$30.

20. U. G. Winget, 1244 Washington Street, Kansas City, Mo. On September 6, 1930, the operator of a Government-owned mail truck negligently made a left turn directly in the path of the claimant's car at an intersection, resulting in a collision in which the private vehicle was damaged to the extent of \$12.40.

Amount claimed, \$12.40; amount allowed, \$12.40.

Summary, 20 claims

Total amount claimed.....	\$1, 272. 17
Total amount allowed.....	1, 200. 17

Very truly yours,

WALTER F. BROWN.



17. Mrs. Bessie E. Lincoln, 50 Appleton Street, Boston, Mass. On December 29, 1930, while the claimant's car was standing at an intersection in Boston, a Government-owned truck, bearing the number 1000, was negligently driven into collision with said car, causing to the extent of \$10,000.00 damage to the car and to the claimant's person.

18. Mrs. Bessie E. Lincoln, 50 Appleton Street, Boston, Mass. On December 29, 1930, while the claimant's car was standing at an intersection in Boston, a Government-owned truck, bearing the number 1000, was negligently driven into collision with said car, causing to the extent of \$10,000.00 damage to the car and to the claimant's person.

19. Mrs. Bessie E. Lincoln, 50 Appleton Street, Boston, Mass. On December 29, 1930, while the claimant's car was standing at an intersection in Boston, a Government-owned truck, bearing the number 1000, was negligently driven into collision with said car, causing to the extent of \$10,000.00 damage to the car and to the claimant's person.

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Total amount of loss \$10,000.00
Total amount of loss \$10,000.00

Very truly yours,
Walter F. Johnson